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Appendix III.

[Vide item IV (1) on page 229 supra.]

Draft Amendments.

Whereas certain rules amending Schedules III and IV to the Madras District Municipalities Act, 1920 (Madras Act V of 1920), were made by His Excellency the Governor of Madras in exercise of the powers conferred by section 305 (1) of that Act, for the reasons mentioned in the Annexure when the Proclamation under Section 93 of the Governmet of India Act, 1935, was in force in this Province;

And whereas the said rules will cease to be in force on the 30th April 1948;

And whereas it is expedient to re-enact these rules permanently subject to a modification in one respect;

Now, therefore, in pursuance of section 305-A of the Madras District Municipalities Act aforesaid, this Council is hereby pleased to approve the following draft rule proposed to be made by the Government of Madras:—

Draft Rule.

The rules published with the notifications of the Local Administration Department reproduced below are hereby re-enacted permanently, subject to the modification that in the rule published with Local Administration Department Notification No. 243, dated the 10th March 1942, in item (ii), for the words and figures "Controller under the Madras House Rent Control Order, 1941," the words, brackets and figures "Controller under the Madras Buildings (Lease and Rent Control) Act, 1946" shall be substituted:—

I. Local Administration Department Notification No. 735, *dated the* 25*th June* 1940, *published at page* 432 *of Part I-A of the* Fort St. George Gazette, *dated the* 2*nd July* 1940.

In exercise of the powers conferred by sub-section (1) of section 305 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), His Excellency the Governor of Madras is hereby pleased to make the following rule altering Schedule IV to the said Act:—

Rule.

In the said schedule—

(i) in rule 29—

(*a*) in sub-rule (3), for the words "shall not be demanded," the words and figures "shall not be recovered in the manner laid down in rule 30" shall be substituted; and

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(*b*) after sub-rule (3), the following sub-rule shall be added, namely :—

" (4) Nothing contained in this rule or in rule 30 shall preclude the council from suing in a civil court for any tax due to it under this Act " ; and

(ii) sub-rule (3) of rule 30 shall be omitted.

II. Local Administration Department Notification No. 985, *dated the* 28*th August* 1940, *published at page* 634 *of Part I-A of the* Fort St. George Gazette, *dated the* 3*rd September* 1940.

In exercise of the powers conferred by sub-section (1) of section 305 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), His Excellency the Governor of Madras is pleased to make the following rule altering Schedule IV to the said Act :—

RULE.

In sub-rule (1) of rule 43 of the said schedule, clause (*o*) shall be relettered as clause (*p*) and the following shall be inserted as clause (*o*), namely :—

" (*o*) payment of such contribution towards the cost of training commissioners of municipalities as may be fixed by the Provincial Government.

Explanation.—The cost of training commissioners may include the whole, or such part as the Government deem equitable, of the pay, pensionary or provident fund contributions and leave and other allowances, if any, of the officers and servants of the Crown or of any other authority employed, and other incidental expenses incurred in connexion with such training."

III. Local Administration Department Notification No. 539, *dated the* 10*th May* 1941, *published at page* 346 *of Part I-A of the* Fort St. George Gazette, *dated the* 20*th May* 1941.

In exercise of the powers conferred by sub-section (1) of section 305 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), His Excellency the Governor of Madras is hereby pleased to make the following rule altering Schedule IV to the said Act :—

RULE.

In sub-rule (*a*) of rule 26 of the said schedule, for the words " unless it be presented at the municipal office," the words " unless it reaches the municipal office " shall be substituted.

IV. Local Administration Department Notification No. 542, *dated the* 12*th May* 1941, *published at page* 348 *of Part I-A of the* Fort St. George Gazette, *dated the* 20*th May* 1941.

In exercise of the powers conferred by sub-section (1) of section 305 of the Madras District Municipalities Act, 1920 (Madras

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Act V of 1920), His Excellency the Governor of Madras is hereby pleased to make the following rule altering Schedule IV to the said Act :—

RULE.

In the said schedule under the heading "Obligatory expenditure," the following rule shall be inserted before rule 43, namely :—

"42-A. The municipal council

(1) shall make provision for the construction, maintenance, diversion and improvement of streets, bridges, causeways, culverts and the like to such extent as the Provincial Government consider necessary and practicable; and

(2) shall not divert such provision to other purposes without the express sanction of the Provincial Government."

V. Local Administration Department Notification No. 1165, *dated the* 11*th November* 1941, *published at page* 866 *of Part I-A of the* Fort St. George Gazette, *dated the* 25*th November* 1941.

In exercise of the powers conferred by sub-section (1) of section 305 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), His Excellency the Governor of Madras is hereby pleased to make the following rule altering Schedule IV to the said Act :—

RULE.

In sub-rule (1) of rule 43 of the said schedule, clause (*p*) shall be relettered as clause (*q*) and the following shall be inserted as clause (*p*), namely :—

"(*p*) payment of travelling allowance of a person appointed as the commissioner of the municipality in respect of his journey to join the appointment."

VI. Local Administration Department Notification No. 154, *dated the* 18*th February* 1942, *published at page* 158 *of Part I-A of the* Fort St. George Gazette, *dated the* 3*rd March* 1942.

In exercise of the powers conferred by sub-section (1) of section 305 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), His Excellency the Governor of Madras is hereby pleased to make, with effect on and from the 1st April 1942, the following rule altering Schedule IV to the said Act :—

RULE.

For sub-rule (1) of rule 16 of the said schedule, the following sub-rule shall be substituted, namely :—

"(1) The classes into which companies and persons shall, for the purposes of assessment to the profession tax, be divided

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and the maximum half-yearly tax leviable on each class shall be as follows :—

Class.	Half-yearly income.	Maximum half-yearly tax. RS.	A.
I	More than Rs. 9,600	25	0
II	Do. 7,800 but not more than Rs. 9,600.	18	0
III	Do. 6,000 do. 7,800.	13	0
IV	Do. 4,200 do. 6,000.	9	0
V	Do. 3,000 do. 4,200.	6	0
VI	Do. 1,800 do. 3,000.	3	0
VII	Do. 1,200 do. 1,800.	2	0
VIII	Do. 600 do. 1,200.	1	0
IX	Do. 300 do. 600.	0	8 "

VII. Local Administration Department Notification No. 243, *dated the* 10*th March* 1942, *published at page* 234 *of Part I-A of the* Fort St. George Gazette, *dated the* 31*st March* 1942.

In exercise of the powers conferred by sub-section (1) of section 305 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), His Excellency the Governor of Madras is hereby pleased to make the following rule altering Schedule IV to the said Act :—

RULE.

In sub-rule (2) of rule 8 of the said schedule—

(i) at the end of the first sentence, the following words shall be added, namely :—

" or subject to any rules which the Provincial Government may make in this behalf, by substituting therein for the name of the owner of any property the name of any other person who has succeeded by transfer or otherwise to the ownership of the property; "

(ii) at the end of the proviso, the following words shall be added, namely :—

" except where the fair rent of a building together with land appurtenant to it has been determined by the Controller under the Madras House Rent Control Order, 1941," and

(iii) after the same proviso, the following further proviso shall be added, namely :—

" Provided further that the decision of the executive authority in any disputed case of transfer of ownership of a property shall not give the transferee a legal title to the property."

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VIII. Local Administration Department Notification No. 630, *dated the* 18*th August* 1942, *published at page* 680 *of Part I-A of the* Fort St. George Gazette, *dated the* 8*th September* 1942.

In exercise of the powers conferred by sub-section (1) of section 305 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), His Excellency the Governor of Madras is hereby pleased to make the following rule altering Schedule IV to the said Act :—

RULE.

In sub-clause (ii) of clause (*a*) of rule 26 of the said schedule, for the expression " under rule 15 ", the expression " under rule 13 or 15 " shall be substituted.

IX. Local Administration Department Notification No. 775, *dated the* 16*th October* 1942, *published at page* 800 *of Part I-A of the* Fort St. George Gazette, *dated the* 3*rd November* 1942.

In exercise of the powers conferred by sub-section (1) of section 305 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), His Excellency the Governor of Madras is hereby pleased to make the following rule altering Schedule III to the said Act :—

RULE.

After rule 11 of the said schedule, the following rule shall be inserted, namely :—

" 11-A. The committees constituted by the council under section 23 as well as the committees constituted under the proviso to section 68 (1) and under section 73 shall meet in the office provided by the municipal council under rule 1."

X. Local Administration Department Notification No. 308, *dated the* 12*th April* 1943, *published at page* 164 *of Part I-A of the* Fort St. George Gazette, *dated the* 27*th April* 1943.

In exercise of the powers conferred by sub-section (1) of section 305 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), His Excellency the Governor of Madras is hereby pleased to make the following rule altering Schedule III to the said Act :—

RULE.

For rule 10 of the said schedule, the following rule shall be substituted, namely :—

" 10. Within three days of the date of the meeting, a copy of the minutes of the proceedings at such meeting in English and in the language of the district, shall be forwarded by the Chairman to the Collector of the District, and another copy to the Deputy Inspector of the Municipal Councils and Local Boards of the

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range, in which the municipality is situated. An authenticated copy of the said minutes shall also be affixed to the notice board of the municipal office and relevant extracts of the said minutes shall be sent to the Heads of Departments of the Provincial Government and to the Superintending Officers appointed under sub-section (1) of section 38 for information and necessary action. The chairman shall also immediately submit to the said Collector any minute of dissent that may be forwarded to him within forty-eight hours of the meeting by any Councillor."

XI. Local Administration Department Notification No. 427, *dated the* 22*nd June* 1943, *published at page* 242 *of Part I-A of the* Fort St. George Gazette, *dated the* 6*th July* 1943.

In exercise of the powers conferred by sub-section (1) of section 305 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), His Excellency the Governor of Madras is hereby pleased to make the following rule altering Schedule IV to the said Act :—

RULE.

To sub-rule (1) of rule 60 of the said schedule, the following *explanation* shall be added, namely :—

" *Explanation.*—It shall not be open to any person whose negligence or misconduct has caused or contributed to any such deficiency or loss, to contend that notwithstanding his negligence or misconduct the deficiency or loss would not have occurred but for the negligence or misconduct of some other person."

APPENDIX IV

[Vide item IV (2) on page 233 supra.]

Draft Amendments.

Whereas certain rules amending Schedules II, IV, V and VII to the Madras Local Boards Act, 1920 (Madras Act XIV of 1920). were made by His Excellency the Governor of Madras in exercise of the powers conferred by section 201 (1) of that Act for the reasons mentioned in the Appendix when the Proclamation under section 93 of the Government of India Act, 1935, was in force in this Province;

And whereas the said rules will cease to be in force on the 30th April 1948;

And whereas it is expedient to re-enact these rules permanently subject to modifications in two respects;